

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, AND RANDAL MEIJER,

Defendants.

ROBERTO CALLE GRACEY, individually and on behalf  
of all other persons similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, RANDAL MEIFER, and  
JOHN DOES NOS. 1-10,

Defendants.

RICHARD WHITE, on behalf of himself and all others  
similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, RANDAL MEIJER, and  
JOHN DOES NOS. 1-10,

Defendants.

BRENDAN CODY,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, and RANDAL MEIJER,

Defendants.

Case No. 08 CV 6560 (LAP)

Case No. 08 CV 6842 (LAP)

Case No. 08 CV 6976 (LAP)

Case No. 08 CV 7216 (LAP)

NOV 11 2010  
CLERK OF COURT  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NOV 09 2010

92-925-920638

**ORDER**

Paul E. Dengel, a member in good standing of the Bar of the State of Illinois, having requested admission *pro hac vice*, to represent Optiver US, LLC, Optiver Holding BV, and Optiver VOF (“Defendants”) in each of the above-captioned cases.

ORDERED, that the Motion to Admit Paul E. Dengel is GRANTED and Paul E. Dengel, Esq. is admitted to practice *pro hac vice* in the above-referenced cases in the United States District Court, Southern District of New York, provided that one filing fee has been paid.

Dated: November \_\_, 2010

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Chief Judge Loretta A. Preska

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, AND RANDAL MEIJER,

Defendants.

Case No. 08 CV 6560 (LAP)

ROBERTO CALLE GRACEY, individually and on behalf  
of all other persons similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, RANDAL MEIFER, and  
JOHN DOES NOS. 1-10,

Defendants.

Case No. 08 CV 6842 (LAP)

RICHARD WHITE, on behalf of himself and all others  
similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, RANDAL MEIJER, and  
JOHN DOES NOS. 1-10,

Defendants.

Case No. 08 CV 6976 (LAP)

BRENDAN CODY,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, and RANDAL MEIJER,

Defendants.

Case No. 08 CV 7216 (LAP)

**MOTION TO ADMIT PAUL E. DENGEL *PRO HAC VICE***

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, Thomas P. Battistoni, a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission *pro hac vice* in each of the above-captioned matters of:

Applicant's Name:	Paul E. Dengel
Firm Name:	Schiff Hardin LLP
Address:	233 South Wacker Drive, Suite 6600
City/State/Zip:	Chicago, IL 60606
Phone Number:	312-258-5614
Fax Number:	312-258-5600

Paul E. Dengel is a member in good standing of the Bar of the State of Illinois. There are no pending disciplinary proceedings against Paul E. Dengel in any State or Federal Court.

Dated: New York, New York  
November 9, 2010

Respectfully submitted,



Thomas P. Battistoni (TB 8012)  
SCHIFF HARDIN LLP  
900 Third Avenue  
New York, NY 10022  
Phone: 212-753-5000  
*Attorneys for Defendants Optiver US,  
LLC, Optiver Holding BV, and Optiver  
VOF*

To: David Acevedo, Esq.  
David W. MacGregor, Esq.  
David William Oakland, Esq.  
Lara Turcik, Esq.  
Manal Sultan, Esq.  
Michael Robert Berlowitz, Esq.  
R. Stephen Painter, Jr., Esq.  
W. Derek Shakabpa, Esq.  
U.S. Commodity Futures Trading Commission (NYC)  
140 Broadway, 19<sup>th</sup> Floor  
New York, NY 10005  
Phone: 646-746-9761  
*Attorneys for Plaintiff, U.S. Commodity Futures Trading Commission*

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Vincent McGonagle, Esq.  
U.S. Commodity Futures Trading Commission  
Division of Enforcement  
1155 21<sup>st</sup> Street, N.W.  
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Phone: 202-418-5111  
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Christopher Michael McGrath, Esq.  
Gary Steven Jacobson, Esq.  
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Phone: 212-608-1900  
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Vincent Briganti, Esq.  
Lowey Dannenberg Cohen & Hart, P.C.  
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Phone: 914-997-0500  
*Attorneys for Plaintiff, Richard White*

Susan Michelle Lauer, Esq.  
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Phone: 312-324-8639  
*Attorneys for Defendant, Bastiann Van Kempen*

Michael Alan Sussmann, Esq.  
Perkins Coie LLP (DC)  
607 Fourteenth Street N.W.  
Suite 800  
Washington, DC 20005-2003  
Phone: 202-434-1637  
*Attorneys for Defendant, Bastiann Van Kempen*

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, AND RANDAL MEIJER,

Defendants.

Case No. 08 CV 6560 (LAP)

ROBERTO CALLE GRACEY, individually and on behalf  
of all other persons similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, RANDAL MEIFER, and  
JOHN DOES NOS. 1-10,

Defendants.

Case No. 08 CV 6842 (LAP)

RICHARD WHITE, on behalf of himself and all others  
similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, RANDAL MEIJER, and  
JOHN DOES NOS. 1-10,

Defendants.

Case No. 08 CV 6976 (LAP)

BRENDAN CODY,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, and RANDAL MEIJER,

Defendants.

Case No. 08 CV 7216 (LAP)

**DECLARATION OF THOMAS P. BATTISTONI**  
**IN SUPPORT OF MOTION TO ADMIT PAUL E. DENGEL *PRO HAC VICE***

Thomas P. Battistoni hereby declares under penalty of perjury:

1. I am a partner in the law firm Schiff Hardin LLP, attorneys for defendants Optiver US, LLC, Optiver Holding BV, and Optiver VOF (“Defendants”) in each of the above-captioned matters. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Defendants’ motion to admit Paul E. Dengel as counsel *pro hac vice* to represent the Defendants in these matters.

2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in Missouri in 1979, in Illinois in 1980, and in New York in 1985. I am also admitted to the bar of the United States District Court for the Southern District of New York and am in good standing with this Court.

3. I have known Paul E. Dengel for 30 years, since 1980, when we were both began work at Schiff Hardin in Chicago.

4. Mr. Dengel is a partner at Schiff Hardin LLP and a member in good standing of the Bar of the State of Illinois. A certificate confirming his admission to and good standing is the Bar of Illinois is attached hereto as Exhibit A.

5. Mr. Dengel is a highly skilled securities attorney and a person of exemplary integrity.

6. Accordingly, I am pleased to move the admission of Mr. Dengel, *pro hac vice*.

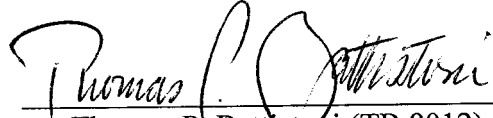
7. I respectfully submit a proposed order granting the admission of Paul E. Dengel, *pro hac vice*, which is attached hereto as Exhibit B.



WHEREFORE it is respectfully requested that the motion to admit Paul E. Dengel, *pro hac vice*, to represent the Defendants in each of the above-captioned matters be granted.

Dated: New York, New York  
November 9, 2010

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas P. Battistoni", is written over a horizontal line.

Thomas P. Battistoni (TB 8012)  
SCHIFF HARDIN LLP  
900 Third Avenue  
New York, NY 10022  
Phone: 212-753-5000  
*Attorneys for Defendants Optiver US,  
LLC, Optiver Holding BV, and Optiver  
VOF*

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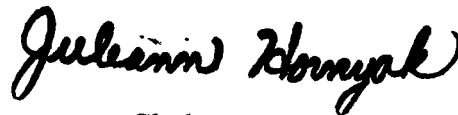
## **Certificate of Admission To the Bar of Illinois**

I, Juleann Hornyak, Clerk of the Supreme Court of Illinois, do hereby certify that

Paul Edward Dengel

has been duly licensed and admitted to practice as an Attorney and Counselor of Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on November 5, 1979 and is in good standing, so far as the records of this office disclose.

In Witness Whereof, I have hereunto  
placed my hand and affixed the seal  
of said Supreme Court, at Springfield,  
in said State, this Wednesday, October 27, 2010.

A handwritten signature in black ink, reading "Juleann Hornyak". The signature is written in a cursive, flowing style.

Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, AND RANDAL MEIJER,

Defendants.

Case No. 08 CV 6560 (LAP)

ROBERTO CALLE GRACEY, individually and on behalf  
of all other persons similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, RANDAL MEIJER, and  
JOHN DOES NOS. 1-10,

Defendants.

Case No. 08 CV 6842 (LAP)

RICHARD WHITE, on behalf of himself and all others  
similarly situated,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIAAN VAN KEMPEN, RANDAL MEIJER, and  
JOHN DOES NOS. 1-10,

Defendants.

Case No. 08 CV 6976 (LAP)

BRENDAN CODY,

Plaintiff,

v.

OPTIVER US, LLC, OPTIVER HOLDING BV,  
OPTIVER VOF, CHRISTOPHER DOWSON,  
BASTIANN VAN KEMPEN, and RANDAL MEIJER,

Defendants.

Case No. 08 CV 7216 (LAP)

STATE OF NEW YORK:

SS.:

COUNTY OF NEW YORK:

I, LOUIS P. BONILLA, being duly sworn, depose and say:

1) I am over 18 years of age, am a resident of Bronx County, I am employed by Schiff Hardin LLP located at 900 Third Avenue, New York, New York, and I am not a party to the above-entitled action.

2) On November 9, 2010, I served a true and correct copy of MOTION TO ADMIT PAUL E. DENGEL PRO HAC VICE, upon opposing counsel for via U.S. First Class Mail and properly addressed as follows:

Stephen Jay Obie, Esq.  
U.S. Commodity Futures Trading Commission  
Division of Enforcement  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

Bernard Persky, Esq.  
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Christopher Lovell, Esq.  
Christopher Michael McGrath, Esq.  
Gary Steven Jacobson, Esq.  
Ian Trevor Stoll, Esq.  
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61 Broadway, Suite 501  
New York, N.Y. 10006

David Acevedo, Esq.  
U.S. Commodity Futures Trading Commission  
140 Broadway, 19<sup>th</sup> Floor  
New York, N.Y. 1005

  
\_\_\_\_\_  
LOUIS P. BONILLA

Sworn to before me this  
9<sup>th</sup> day of November, 2010

  
\_\_\_\_\_  
Notary Public

LAURA A. FACOPOULOS  
NOTARY PUBLIC, State of New York  
No. 01-FA5070696  
Qualified in Queens County  
Commission Expires Dec. 23, 2010